

MINUTES

FILED IN THE
UNITED STATES DISTRICT COURT
DISTRICT OF HAWAII

2/21/2006 4:30 pm

SUE BEITIA, CLERK

CASE NUMBER: CR NO. 05-00027JMS

CASE NAME: United States of America Vs. (01) Sean M. Carillo

ATTYS FOR PLA: Mark A. Inciong

ATTYS FOR DEFT: (01) Shanlyn A. S. Park

INTERPRETER:

JUDGE: J. Michael Seabright

REPORTER: Sharon Ross

DATE: 2/21/2006

TIME: 3:03pm-3:18pm

COURT ACTION: EP: Sentencing to Count 1 of the First Superseding Indictment as to Defendant (01) Sean M. Carillo-Defendant present in Custody and Plaintiff the United States of America's Motion for Downward Departure-is hereby Granted. (3:09pm-3:11pm)

The Court adopts the presentence investigation report without change.

Court accepts the Plea Agreement.

Defendant addresses the Court.

Sentence-

Imprisonment-37 Months

Mittimus Forthwith.

Court Recommendations- 1. Prison Facility-Lompoc, Ca.
2. Any Camp prison facility
3. 500 Hour Drug Comprehensive Drug Treatment Program
4. Educational Opportunities and Vocational Training

Supervised Release-4 Years

Special Conditions of Supervised Release-

1. That the defendant shall abide by the standard conditions of supervision.
2. That the defendant not commit any crimes, federal, state, or local (mandatory condition).
3. That the defendant not possess illegal controlled substances (mandatory condition)
4. That the defendant shall cooperate in the collection of DNA as directed by the probation officer.
5. That the defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of commencement of supervision and at least two drug tests thereafter but no more than 15 valid drug tests per month during the terms of supervision (mandatory condition).
6. That the defendant shall not possess a firearm, ammunition, destructive device, or any other dangerous weapon.
7. That the defendant shall participate in and comply with substance abuse treatment which includes drug and alcohol testing in a program approved by the Probation Office. The defendant is to refrain from the possession and/or use of alcohol while participating in substance abuse treatment.
8. That the defendant execute all financial disclosure forms, and provide the Probation Office and the Financial Litigation Unit of the U.S. Attorney's Office access to any requested financial information to include submitting to periodic debtor's examinations as directed by the Probation Office.
9. That the defendant shall submit his person, residence, place of employment, or vehicle to a search conducted by the U.S. Probation Office at a reasonable time and in a reasonable manner, based upon reasonable suspicion of contraband or evidence of a violation of a condition of supervision. Failure to submit to a search may be grounds for revocation. The defendant shall warn any other resident that the premises may be subject to search pursuant to this condition.

No Fine.

Special Assessment-\$100.00

Government's Oral Motion to Dismiss Ct II of the First Superseding Indictment-is hereby Granted.

Defendant advised of his right to appeal.

Submitted by Leslie L. Sai, Courtroom Manager